

SENATE BILL 13
By Cohen

AN ACT to amend Tennessee Code Annotated, Title 40, Chapter 11, relative to bail bonds.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 40, Chapter 11, Part 1, is amended by adding the following new section:

Section____. After July 1, 1997, any person utilizing the services of a professional bail bondsman or bonding agent, shall receive a copy of such person's bail bond. After such date the following information shall be printed on the back of the bail bond copy given to such person:

IF YOU USE A PROFESSIONAL BONDSMAN:

1. Your premium fee should not be more than ten percent (10%) of the face amount of your bond. For example, if your bond is \$2,500.00, the premium on the bond should not be more than \$250.00. However, the law permits, and a few bonding companies charge, a one-time \$25.00 "initiation fee" (TCA 40-11-316).

2. Insist on a receipt. The law requires a bail bondsman to give you a receipt for any money or property. The law requires the bondsman to keep a duplicate receipt. (TCA 40-11-304).

3. All receipts must show:

(a) The name of the person paying the money or other thing of value,

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- (b) The name of the person for whom it was paid,
- (c) The account or purpose for which it is received, and
- (d) The suit, action or matter in which the money is paid. (TCA 40-11-304).

4. A bondsman may not lock you back up or surrender you arbitrarily or without good cause. (TCA 40-11-304). Good cause may include your failure to perform your obligations under the contract you have with your bondsman. (TCA 40-11-304).

5. If a bondsman insists upon collateral in addition to the ten percent (10%) premium fee, you may wish to talk to another bondsman. However, a bondsman may accept collateral, and if the bondsman accepts collateral, he must give you a written receipt for the collateral, and the receipt shall give in detail a full description of the collateral received and the terms of redemption. (TCA 40-11-126).

6. If you have a complaint against a bondsman, please contact your local court clerk.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.